

FILED  
Clerk  
District Court

APR 11 2022

for the Northern Mariana Islands  
By  (Deputy Clerk)IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDSTIANMING WANG, *et al.*,

Plaintiffs,

v.

GOLD MANTIS CONSTRUCTION  
DECORATION (CNMI), LLC, *et al.*,

Defendants.

Case No. 1:18-cv-00030

**ORDER IMPOSING  
SANCTIONS AGAINST  
THIRD PARTY WITNESS  
LIJIE CUI**

At a hearing held on December 22, 2021, the Court found third-party witness Lijie Cui in contempt for failing to comply with the Court's preservation orders on ESI data and imposed a daily per diem sanction of \$200 starting on December 23, 2021 against Cui as coercive sanctions until she complied with the Court's order. (Min., ECF No. 471). The Court held a separate order to show cause hearing on December 29, 2021, and a status conference on the pending ESI preservation order. Based on Cui's continued failure to comply, the Court increased the daily per diem sanction to \$1,000.00 starting December 30, 2021 until Cui purged her contempt, and set the matter for a final evidentiary hearing on the outstanding ESI issue. (Min., ECF No. 478.) Plaintiffs and Cui subsequently entered into a stipulation—which the Court granted—to continue the evidentiary hearing set for January 27, 2022 to February 8, 2022, and as part of the stipulation, Cui agreed that the \$1,000 daily sanction shall continue to accrue through that extension. (Stipulation, ECF No. 483; Order Granting Stipulation, ECF No. 486.) On February 3, 2022, the Court granted in part Plaintiffs' Motion to extend time to allow Attorney Berline to return to Saipan and reset the


evidentiary hearing to February 18, 2022 (Min., ECF No. 500), which later was continued to March 8, 2022 due to scheduling issues as well as unforeseen circumstances (Stipulation, ECF No. 506; Order Granting Stipulation, ECF No. 507). By virtue of the Court resetting the evidentiary hearing, the daily sanction was tolled from February 8, 2022 to the new evidentiary hearing date—not starting February 3, 2022 as Cui contends. (See Notice of Sanctions, ECF No. 513.) The evidentiary hearing was held over a couple days, starting March 8, 2022. (Min., ECF No. 509.) On March 10, 2022, the Court found that Cui finally purged her contempt. (Min., ECF No. 510.) Given that Cui presented sufficient evidence demonstrating that she purged her contempt, the Court will not impose sanctions during the period she was presenting evidence to prove that she purged her contempt.

Cui contends that the total sanctions owed is \$36,200. (ECF No. 513.) However, based on the Court's own calculations, the amount owed is:

Dates	Days (inclusive of start and end date)	Per Diem Rate	Total
12/23/21 – 12/28/21	6	\$200	\$1,200
12/29/21 – 2/7/22	41	\$1,000	\$41,000
2/8/22 – 3/7/22	Tolled for Plaintiffs	\$0	\$0
3/8/22 – 3/10/22	0 (Evidentiary Hrg)	\$1,000	\$0
<b>Total</b>			<b>\$42,200</b>

Accordingly, Lijie Cui is ORDERED to pay **\$42,200** to the Court no later than **April 25, 2022**. Any check or money order shall be made payable to: **Clerk, U.S. District Court (NMI)**.

SO ORDERED on this 11th day of April, 2022.

  
 RAMONA V. MANGLONA  
 Chief Judge